

EXHIBIT

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January 24, 2007

Norman Hurst, Jr., Esq.
462-A Sayre Street
Montgomery, AL 36104RE: Monica Perryman v. First United Methodist Church, et al.
In the United States District Court, Middle District of Alabama
Case No.: 2:06-cv-216-MHT


Dear Mr. Hurst:

Enclosed with this letter you will find an Order on Pretrial Hearing which we have completed with information relevant from the Defendants' perspective pursuant to Court order. Please fill in the information as required by you and submit same to the Court in a timely fashion.

While the information contained in this Order is constructed jointly, you, as Plaintiff, are responsible for submitting this Order to the Court.

If you have any questions or comments, please feel free to contact me at the number above listed.

Sincerely,



R. Brett Garrett

RBG2/kml
Enclosure

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

MONICA PERRYMAN,)	
)	
Plaintiff,)	
)	2:06-cv-216-MHT
V.)	
)	
FIRST UNITED METHODIST)	
CHURCH and DARLENE MAYE,)	
)	
Defendants.)	
)	

ORDER ON PRETRIAL HEARING

A pretrial hearing was held in this case on January 29, 2007, wherein the following proceedings were held and actions taken:

1. **PARTIES AND TRIAL COUNSEL:**

Plaintiff: Monica Perryman

Defendants: First United Methodist Church and Darlene Maye

Trial Counsel for Plaintiff: Norman Hurst, Esq.

Trial Counsel for Defendants: Robert A. Huffaker, Esq.; Alan T. Hargrove, Esq;

Bethany L. Bolger, Esq.; and R. Brett Garrett, Esq.

COUNSEL APPEARING AT PRETRIAL HEARING:

Counsel for Plaintiff: Norman Hurst, Esq.

Counsel for Defendants: Robert A. Huffaker, Esq.; Alan T. Hargrove, Esq.;

R. Brett Garrett, Esq.

2. **JURISDICTION AND VENUE:**

(FOR COMPLETION BY MR. HURST)

3. **PLEADINGS:** The following pleadings and amendments were allowed:

- Complaint, filed March 7, 2006;
- Motion for Extension of Time to File Answer by Defendants, filed March 15, 2006;
- Defendants' Motion to Dismiss and Brief in Support Thereof, filed April 11, 2006;
- Plaintiff's Response to Order to Show Cause, filed May 1, 2006;
- Answer of Defendants, filed June 29, 2006;
- Plaintiff's Amended Complaint, filed July 26, 2006;
- Defendants' Answer to Amended Complaint, filed July 27, 2006;
- Defendants' Motion for Summary Judgment and Brief in Support Thereof, filed October 31, 2006;
- Plaintiff's Motion for Extension of Time to File Reply to Motion for Summary Judgment, filed November 22, 2006;
- Plaintiff's Response to Defendants' Motion for Summary Judgment, filed January 10, 2007;
- Defendants' Motion to Strike Plaintiff's Response to Defendants' Motion for Summary Judgment, filed January 16, 2007.

4. CONTENTIONS OF THE PARTIES:

(a) The Plaintiff(s):

(b) The Defendant(s):

The Defendants, First United Methodist Church and Darlene Maye, contend that the Plaintiff's claim alleging racial and gender discrimination pursuant to Title VII of the Civil Rights Act of 1964 and the Thirteenth and Fourteenth Amendments to the United States Constitution, 42 U.S.C. § 1981, 1983 and 1985, and the Equal Pay Act of 1963, are unfounded as there is no evidence that Ms. Perryman has been discriminated against based on her being a black female. Moreover, the Defendants contend that Plaintiff's action against these Defendants is barred by application of the ministerial exception to Title VII.

The evidence now before the Court shows unequivocally that as a religious instructor within First United Methodist Church's Early Childhood Development (ECDC) Program, the Plaintiff was involved in teaching religious doctrine in the

furtherance of spreading religious ritual and worship. As a result, she is barred from bringing discrimination claims against the Defendants pursuant to Title VII.

Moreover, the Plaintiff cannot establish a claim of sex or race discrimination. All of the Plaintiff's claims against the Defendants arise pursuant to her allegation that she was discriminated against based on her gender (female) and race (black). However, in each instance of alleged discrimination, Plaintiff either admits that she has no basis for her claim or that there were no ECDC employees outside of her classification that received preferential treatment. The Defendants further adopt as their contentions all arguments currently pending before the Court and incorporated with Defendants' Motion for Summary Judgment.

5. STIPULATIONS BY AND BETWEEN THE PARTIES:

DONE and ORDERED this the ____ day of _____, 2007.

HON. MYRON H. THOMPSON

cc: Norman Hurst, Esq.

Robert A. Huffaker, Esq,
Alan T. Hargrove, Esq.
R. Brett Garrett, Esq.